

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS – EASTERN DIVISION**

THERESA TRAN, et al.,

Plaintiffs,

v.

John Doe, et al.

Defendants.

Case No. 1:22-cv-06478

Honorable Joan B. Gottschall

**CLAIMANT JACOB HOULE’S CLAIM FOR PERSONAL INJURIES IN RESPONSE
TO COMPLAINT IN ADMIRALTY FOR EXONERATION FROM
OR LIMITATION OF LIABILITY**

NOW COMES the Claimant, JACOB HOULE, by his attorneys, ARMSTRONG LAW GROUP, and subject to any forthcoming motion to stay this proceeding and dissolve the injunction against the further prosecution of his claim against THERESA TRAN and CHICAGO AQUALEISURE, LLC, files this Claim in response to the Complaint in Admiralty for Exoneration From or Limitation of Liability, and states as follows:

1. Pursuant to this Court’s Order Restraining All Suits and Directing Monition to Issue entered on November 28, 2022, and in accordance with Supplemental Rule F(5) for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions, Claimant JACOB HOULE files this claim for injuries and damages arising out of, resulting from, or in any manner connected with the occurrence on August 13, 2022, from which the Plaintiffs-in-Limitation THERESA TRAN and CHICAGO AQUALEISURE, LLC’s Complaint seeks exoneration or limitation of liability.

2. In filing his Claim, Answer, and Affirmative Defenses, Claimant reserves all rights to pursue all available claims in the forum of his choosing for resolution of any and all issues beyond the exclusive jurisdiction of this Admiralty Court, and to have such claims and related

damages tried to a jury, including his cause of action, as provided for by the Savings to Suitors Clause in 28 U.S.C. § 1333 and all state law remedies.

3. Claimant JACOB HOULE has drafted a lawsuit he intends to file in the Circuit Court of Cook County, Illinois against THERESA TRAN, CHICAGO AQUALEISURE, LLC, and Joseph Neverauskas, attached hereto as Exhibit A.

4. Claimant states, adopts, and incorporates by reference the material allegations from his proposed Complaint as if fully stated herein.

5. As set forth in Claimant's Complaint, it is alleged that one or more acts or omissions constituting legal misconduct of the Plaintiffs-in-Limitation THERESA TRAN and CHICAGO AQUALEISURE, LLC, both directly and indirectly, individually and by through their agents, employees, and servants, was a direct and proximate cause of said occurrence and Claimant's personal injuries as set forth in Claimant's Complaint.

6. As further set forth in Claimant's Complaint, it is alleged that Plaintiffs-in-Limitation had privity and knowledge of their direct negligent conduct and/or the negligent conduct of their agents, actual or apparent, employees, and/or servants, which caused or contributed to the cause the occurrence and Claimant's injuries and damages.

7. Further, upon information and belief, it is alleged that THERESA TRAN and CHICAGO AQUALESIURE, LLC failed to maintain the subject vessel, such that it was rendered unseaworthy. It is further alleged that THERESA TRAN and CHICAGO AQUALEISURE, LLC failed to appropriately train and/or supervise their agents, all of which is alleged to be within the privity and knowledge of Plaintiffs-in-Limitation.

8. As a direct and proximate result of the unseaworthiness of the AQUAVIDA and, due to Plaintiffs-in-limitation's negligence, Claimant, JACOB HOULE was severely injured and

permanently disfigured when the AQUAVIDA collided with and struck the rear aft section of the vessel known as Navigator, causing it to be propelled and collide with a vessel known as the *Giddy Up*. Your claimant was standing on the rear platform of the Giddy Up and his right arm was pinned and injured by the anchor windlass mechanism on the forward bow pulpit of the vessel Navigator.

9. In addition to those stated above, Claimant, JACOB HOULE, has suffered the following injuries:

- a. Lacerations to three areas of his right arm, requiring seven stitches;
- b. Physical pain and mental suffering;
- c. Disfigurement to his right arm;
- d. Claimant has become obligated for the expenses of necessary medical care, treatment and services in the past and may be required to spend money for necessary medical care, treatment and services in the future; and
- e. Possible disability, due to any internal nerve or tissue damage in the future.

10. That Claimant seeks all damages recoverable by law.

That Claimant hereby respectfully demands a trial by jury on all issues so triable. WHEREFORE, Claimant prays that this Honorable Court enter judgment in favor of Claimant JACOB HOULE and against Plaintiffs-in-Limitation THERESA TRAN and CHICAGO AQUALEISURE, LLC, in a dollar amount that fairly and justly compensates Claimant for his injuries and damages, plus the costs of this action, and such additional amounts or other and further relief as this Court may deem fair and just under the circumstances.

JACOB HOULE, Claimant

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